

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

*IN RE* CIRCULAR THERMOSTAT  
ANTITRUST LITIGATION

MDL Docket No. C 05-01673 WHA

**ORDER DISMISSING CASE**

This document relates to:

*R. Sadler Bailey, et al., v. Honeywell  
International, Inc.*, No. C 05-2986 WHA

In this action alleging violations of the Tennessee Trade Practices Act, Tennessee Code Annotated § 47-25-101, *et seq.* and the Tennessee Consumer Protection Act, Tennessee Code Annotated § 47-18-104, *et seq.*, plaintiff now moves for voluntary dismissal of this action, on the grounds that the named plaintiff is unable to proceed as a class representative. This motion is unopposed. Pursuant to FRCP 41(a)(2), this action is **DISMISSED WITHOUT PREJUDICE**.

The Clerk **SHALL CLOSE THE FILE**.

**IT IS SO ORDERED.**

Dated: August 18, 2005



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE